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In the United States Patent & Trademark Office

In re Application of:
Clausell, A. et al.

Serial No.: 09/978,498

Filed on: October 15, 2001

For: Reagents for Improved Cell-Based Assays

Examiner: Prats, F.

Art Unit: 1651

Atty Dkt. No.: 2055-181

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J.G.J
8/2/03

Reply

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In Response to the Official Action of May 7, 2003, issued with respect to the above-identified patent application, Applicants respectfully request entry and consideration of the following Reply comprising Introductory Comments, Amendments to the Claims, and Remarks.

Introductory Comments

This Reply has been formatted in attempted compliance with the proposed revisions to 37 CFR 1.121. There are no requested Amendments to the Specification.

No fee, other than those provided for on the accompanying Fee Transmittal Form are believed to be due in order for the timely consideration of this Reply. If, however, the Director determines that such a fee is required, then the Commissioner is authorized to charge any (Large Entity) fee required for consideration of this submission to Deposit Account 50-0548.

Amendments to the Claims

I. Amendments

Please cancel claims 1-4, and 56-95, without prejudice or disclaimer, as directed to non-elected inventions.

II. The Claims of the Application

Claims 1-4. (Withdrawn)

Claim 5. (Original) A method for assaying for the presence or activity of an enzyme in a metabolically active whole cell, comprising the steps:

- (a) incubating said metabolically active whole cell with a substrate of said enzyme or an analyte compound in the presence of an agent that enhances uptake of said substrate or analyte, said agent being present at a concentration sufficient to enhance the uptake of said substrate or analyte compound;
- (b) assaying for any change in concentration of said substrate or analyte compound or of a product formed via action of said enzyme on said substrate or analyte;

wherein a change in said concentration is indicative of the presence or activity of said enzyme in said metabolically active whole cell.

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Claim 6. (Original) The method of claim 5, wherein said enzyme is selected from the group consisting of a 5' nucleotidase, acetylcholinesterase, an acid phosphatase, an acidic esterase, an acidic esterase I, an acidic esterase II, an acidic non-specific esterase, an adenosine deaminase, an adenosine monophosphate deaminase, an alkaline phosphatase, an aminopeptidase A, an aminopeptidase B, an aminopeptidase M, an Aminopeptidase N, an angiotensin converting enzyme, a caspase, a cathepsin B, a cathepsin B1, a